IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDCITION

WRIT PETITION NO. 560 OF 2005
ALONGWITH
NOTICE OF MOTION NO.752 OF 2006

Shivnarayan R. Kewat being the son of Ramudit Ghutku Kewat (deceased) & Ors. .....Petitioners.

V/s

State of Maharashtra & Ors. ..... Respondents.

Mr. V.X. D'Silva for the Petitioners.

Mr. P.M. Mokashi, AGP for Respondent No.1 - State.

Ms. Aruna Savla for Respondent Nos. 2, 3 and 5.

Mr. S.G. Surana for Respondent No.6

CORAM: V.M. KANADE & S.R. SATHE, JJ
(Vacation Court)

DATE : 9th May, 2007

P.C.:-

1. Pursuant to the leave granted by this Court by order dated 30/11/2005, the learned Counsel for Respondent Nos. 2, 3 and 5 has made an application seeking disposal of the Petition in view of the subsequent development. The learned Counsel appearing on behalf of Respondent Nos. 2, 3 and 5 submits that they are willing to hand over possession of the

vacant land and that the Petition may be disposed of.

2. The Petitioners, therefore, are directed to surrender their respective structures to the developer within 7 days from the date of this order and, thereafter, the developer shall demolish the structures of the Petitioners and hand over possession of the vacant land to the Corporation within 7 days.

3. The developer shall register the individual agreements entered into with the respective Petitioners for allotment of permanent alternative accommodation. The developer shall continue to pay compensation for the temporary transit accommodation in advance for the next six months to the Petitioners till the possession of the permanent alternate accommodation is given to them.

4. Writ Petition is disposed of in the above terms. Interim orders stand vacated. Notices of Motion which are pending are accordingly disposed of as they do not survive.

(V. M. KANADE, J.)

(S.R. SATHE, J.)